

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:	Keith P. Williams)	
	Jacqueline A. Williams)	
)	Case No. 3:17-BK-35341-KLP
	Debtor(s).)	
)	
	Keith P. Williams and)	Chapter 13
	Jacqueline A. Williams)	
	Plaintiff(s))	
)	
v.)	AP No. 3:22-AP-3016-KLP
)	
	Household Realty Corporation of Virginia		
	Kathleen Elizabeth McEntire, Trustee		
	Richmond Cardiology Associates, Inc		
	Defendant(s)		

ORDER ON MOTION FOR DEFAULT JUDGMENT

UPON MOTION BY, Krumbein Consumer Legal Services, Inc., counsel for Debtor(s), and pursuant to FRBP 7055 says as follows:

JURISDICTION, VENUE, CORE PROCEEDING

- 1) This court has jurisdiction pursuant to 28 USC 1441.
- 2) This is the proper venue pursuant 28 USC 1391.
- 3) This is a core proceeding pursuant to 28 USC 157.

PARTIES

- 4) The movants are the Debtors in the above identified case, as defined by the Bankruptcy Code.
- 5) Respondents are creditors as defined by the Bankruptcy code.

FACTS.

- 6) On April 8, 2022, the Plaintiffs filed an adversary proceeding against defendants to determine the priority, extent and validity of 2 liens.

- 7) A summons was issued on April 12, 2022.
- 8) Service of the Summons and Complaint was made upon the defendants on April 15, 2022 pursuant to FRBP 7004.
- 9) Kathleen E. McEntire is an individual, and were served by US Mail pursuant to FRBP 7004.
- 10) Household Realty Corporation is an inactive Virginia corporation, and served by US Mail pursuant to FRBP 7004.
- 11) Richmond Cardiology Associates, Inc is a Virginia Corporation, and served by US Mail pursuant to FRBP 7004.
- 12) Default was entered on May 26, 2022.
- 13) No answer or responsive pleading has been filed by either party on the Complaint, as noted in the supporting affidavit. See Plaintiffs' Exhibit "A".
- 14) Defendants are not The United States or an agency thereof.
- 15) Defendants are not in the military service of the United States.
- 16) Defendants are therefore in default. The facts are taken as true.
- 17) Default judgment is appropriate.

APPLICABLE LAW

- 18) Pursuant to Fed.R.Bankr.Proc. 7055(a), the clerk is empowered to enter a party's default when it has failed to plead or otherwise defend as provided by the Bankruptcy rules, and that fact is made to appear by affidavit or otherwise.
- 19) On default, the facts alleged are deemed admitted, and the court reviews the law as applied to the facts.
- 20) Plaintiff seeks to treat the second mortgage and the judgment as unsecured, and upon discharge, to have them stripped or removed from the liens against the property.

RELIEF ORDERED

THEREFORE, Movants request that the court approve the foregoing motion for the reasons stated above is GRANTED, and it is ORDERED THAT

- a. Default judgment for the plaintiffs against the defendant is granted; and
- b. The second mortgage held by Household Realty Corporation is deemed unsecured, and
- c. The judgment held by Richmond Cardiology Associates, Inc is deemed unsecured, and
- d. Upon completion of the Bankruptcy, this order, along with a discharge shall act as a release.

ENTERED: Jul 8 2022

/s/ Keith L Phillips

Keith L. Phillips
Judge, US Bankruptcy Court,
Eastern District of Virginia
Richmond Division

Entered On Docket: Jul 8 2022

I ask for this:

/s/ Jason M. Krumbein, Esq.
Jason M. Krumbein, Esq. VSBN 43538
Counsel for the Debtor(s) in Bankruptcy
Krumbein Consumer Legal Services, Inc.
1650 Willow Lawn Dr. Suite 201
Richmond, VA 23230
Tel: 804.592.0792 Fax: 804.823.2565
jkrumbein@krumbeinlaw.com

CERTIFICATE OF ENDORSEMENT PURSUANT TO LBR 9022-1

I certify that all necessary parties have endorsed the foregoing order.

/s/ Jason M. Krumbein, Esq.
Counsel for the Debtor(s) in Bankruptcy

SERVICE LIST

BY ECF:

Jason M. Krumbein, Esq., Counsel for Plaintiffs

BY US MAIL:

Keith P. Williams
Jacqueline A. Williams
443 Hanover Rd.
Sandston, VA 23150

Williams,
Plaintiff
Household Realty Corporation of Virginia,
Defendant

Adv. Proc. No. 22-03016-KLP

CERTIFICATE OF NOTICE

District/off: 0422-7
Date Rcvd: Jul 08, 2022

User:
Form ID: pdford9

Page 1 of 1
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 10, 2022:

Recip ID	Recipient Name and Address
pla	+ Jacqueline A. Williams, 443 Hanover Road, Sandston, VA 23150-3403
pla	+ Keith P. Williams, 443 Hanover Road, Sandston, VA 23150-3403

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 10, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 8, 2022 at the address(es) listed below:

Name	Email Address
Jason Meyer Krumbein	on behalf of Plaintiff Keith P. Williams jkrumbein@krumbeinlaw.com a30156@yahoo.com;plutzky@krumbeinlaw.com
Jason Meyer Krumbein	on behalf of Plaintiff Jacqueline A. Williams jkrumbein@krumbeinlaw.com a30156@yahoo.com;plutzky@krumbeinlaw.com

TOTAL: 2